



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/868,938 Confirmation No.: 4331
Applicant : Kiyoshi Nishio
Filed : July 18, 2001
Title : Fluid device having downwardly inclined lower lamella
portion of a bellows
TC/A.U. : 3746
Examiner : C. J. Tyler
Docket No. : NISH3004/FJD
Customer No. : 23364

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22202-3514

Sir:

All of claims 7 through 12 of the present application are limited to a structure, wherein, "in the contracting state, the upper lamella portion of each ridge-like fold is formed to be downwardly inclined." Applicants respectfully submit that none of the cited references disclose this claimed structure.

The Official Action appears to argue that Eickmann teaches the criticality of choosing the correct angle thereby making it obvious to form the upper lamella portion of each ridge-like fold according to the present invention to be downwardly inclined. However, Eickmann discloses only a general structure wherein, in the contracting state, the upper lamella is upwardly inclined and the lower lamella is inclined downwardly. Eickmann teaches only choosing the correct angle in the general structure. Eickmann does not teach the claimed structure according to the present invention wherein the upper lamella is formed to be downwardly inclined. The claimed structure is not obvious to a person of ordinary skill in the art. Therefore, the claims should be allowed.

Date: December 2, 2004

Respectfully submitted,
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